

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

REMOTE TECHNOLOGIES, INC.,

Plaintiff,

v.

ORDER

Civil No. 10-1678 (MJD/JSM)

DATA INTERNATIONAL CO., LTD.,

Defendant.

John A. Cotter, Cynthia M. Klaus, and Craig J. Lervick, Larkin Hoffman Daly & Lindgren, Ltd., Counsel for Plaintiff.

Vytas Rimas, Rimas Law Firm, PLLC, Counsel for Defendant.

The above-entitled matter comes before the Court on Defendant's appeal of Magistrate Judge Janie S. Mayeron's July 31, 2012 Order granting in part and denying in part Defendant's Motion to Take Deposition Out of Time [Docket No. 61], denying Defendant's Motion to Extend Expert Discovery [Docket No. 65], and granting Plaintiff's Motion to Compel Discovery [Docket No. 71]. The Court has carefully considered the entire record in this matter and concludes that oral argument is unnecessary.

This Court will reverse a Magistrate Judge's order on a nondispositive issue only if that order is clearly erroneous or contrary to law. 28 U.S.C.

§ 636(b)(1)(A); D. Minn. L.R. 72.2(a). This Court has reviewed the submissions and the record in this case and concludes that Magistrate Judge Mayeron's July 31, 2012 Order is neither clearly erroneous nor contrary to law. Therefore, the July 31 Order is affirmed.

Accordingly, based upon the files, records, and proceedings, herein, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Janie S. Mayeron's July 31, 2012 Order [Docket No. 136] is **AFFIRMED**.
2. Defendant's objections and appeal [Docket No. 145] are **DENIED**.

Dated: September 28, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court